

DECLARATION
AND POWER OF ATTORNEY
ORIGINAL APPLICATION

As below named inventors, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

MUTANT FORMS OF THE AL2 GENE OF GEMINIVIRUSES

the specification of which

- ☐ is attached hereto,
☒ was filed on June 5, 1998, as Application Serial No. 09/092,705.
☐ and was amended on _____
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, code of Federal Regulations, §1.56(a).

I hereby appoint the following attorney(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

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Address all correspondence to Pamela A. Docherty, CALFEE, HALTER & GRISWOLD, LLP, 1400 McDonald Investment Center, 800 Superior Avenue, Cleveland, Ohio 44114.

I hereby declare that all statements made hereon of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole inventor: David Bisaro

Inventor's signature

Paul M. Biano

3 August, 1998
(Date)

Residence: 5818 Shannon Place Lane
Dublin, Ohio 43016

Citizenship: United States

Post Office Address: Ohio State University
Biotechnology Center
1060 Carmack Road
Columbus, Ohio 43210

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF : Bisaro
FOR : MUTANT FORMS OF THE AL2 GENE
OF GEMINIVIRUSES
SERIAL NO. : 09/092,705
FILED : June 5, 1998
ATTORNEY DOCKET NO. : 22727/04003

37 C.F.R. 1.27 VERIFIED STATEMENT CLAIMING
SMALL ENTITY STATUS-NONPROFIT ORGANIZATION

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: Ohio State Research Foundation
ADDRESS: 1960 Kenny Road
Columbus, Ohio 43210-1063

TYPE OF ORGANIZATION

- ☐ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
☒ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3))
☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA
(name of state _____)
(citation of statute _____)
☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA
☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
(name of state _____)

(citation of statute _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled:

MUTANT FORMS OF THE AL2 GENE OF GEMINIVIRUSES

by inventors: David M. Bisaro

described in

- ☐ the specification filed herewith.
☒ application Serial No. 09/092,705; Filed: June 5, 1998.
☐ Patent No. _____
☐ issued _____

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

* Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING

David N. Allen, Ph. D.

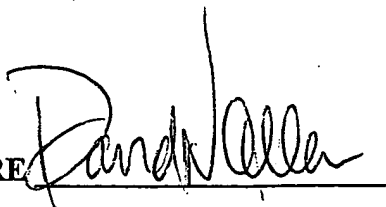
TITLE IN ORGANIZATION

Director, Technology Transfer

ADDRESS OF PERSON SIGNING

1960 Kenny Road
Columbus, Ohio 43210-1063

SIGNATURE



DATE

13 July '98